#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 7,836,481	)	Serial No. 09/964,891
Inventor(s): John S. HENDRICKS	)	Filed: September 28, 2001
Issue Date: November 16, 2010	)	Attorney Docket No. 007412.00280

For: SET TOP TERMINAL FOR GENERATING AN INTERACTIVE ELECTRONIC PROGRAM GUIDE FOR USE WITH TELEVISION DELIVERY SYSTEM

### REQUEST FOR CERTIFICATE OF CORRECTION

U.S. Patent and Trademark Office Customer Service Window Randolph Building, Mail Stop: Certificate of Correction Branch 401 Dulany Street Alexandria, VA 22314

Sir

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.323, Applicant requests the issuance of a Certificate of Correction in the above-identified patent. One (1) copy of PTO Form 1050 are appended. The complete Certificate of Correction involves one page.

Some of the mistakes identified in the appended Form occurred through no fault of the Patent and Trademark Office, as disclosed by the records of the application, which matured into this patent. Enclosed for your convenience are the relevant portions of the Amendment filed June 11, 2010, the Information Disclosure Statement considered by the Examiner and returned with the Office Action dated November 30, 2005, and portions of the original Specification. The errors referred to in the Specification, which include duplicative text at page transitions, occurred in good faith without decentive intent.

Issuance of the Certificate of Correction containing the corrections is earnestly requested. Please charge the requisite fee of \$100.00, and any additional fee, which may be associated to our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: June 20, 2011

By: /Michael Cuviello/ Michael Cuviello Registration No. 59,255

Banner & Witcoff, Ltd. 1100 13<sup>th</sup> St., NW, Suite 1200 Washington, D.C. 20005 (202) 824-3000

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.: 7.836,481

DATED: November 16, 2010
INVENTOR(S): John S. HENDRICKS

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, References Cited section (56), U.S. Patent Documents, Page 2: Please replace "4,885,632 | 12/1929 | Richards et al." with -4-885-803 | 12/1989 | Hermann et al. --

In Column 3 of the Specification, Lines 6-7"

Please delete "allowing the by the subscriber using simple alpha-numeric and iconic character access,"

In Column 6 of the Specification, Lines 53-55:

Please delete "After packaging, the packaged television program signal is prepared for satellite transmission 206 and send from the Operations Center 202 to the cable headend 208 via"

In Column 40, Claim 24, Line 34: Please replace "claim 2" with --claim 20--

Mailing Address of Sender:

U.S. PAT. NO 7,836.481

No. of add'l copies @ \$0.50 per page

Hanner & Witcoff, Ltd. 1100 13th Street, N.W., Suite 1200 Washington, DC 20005-4051 Appln. No.: 09/964,891

Amendment dated June 11, 2010

Reply to Office Action of March 11, 2010

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of (first named inventor): Atty. Docket No.: 007412.00280

John S. Hendricks

Serial No.: 09/964.891 Group Art Unit: 2424

Filed: September 28, 2001 Examiner: James R. Sheleheda

For: SET TOP TERMINAL FOR Confirmation No.: 2109

GENERATING AN INTERACTIVE ELECTRONIC PROGRAM GUIDE FOR USE WITH TELEVISION

DELIVERY SYSTEM

## **AMENDMENT**

## Mail Stop: Amendment

U.S. Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Sir

In response to the Office Action mailed March 11, 2010, please amend the instant application as follows:

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Applicant requests any necessary extension of time for the submission of this paper. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

This listing of claims will replace all prior versions, and listings, of claims in the application:

## Listing of Claims:

(Currently Amended) A terminal comprising:

an interface configured to receive a single signal comprising a composite data streamvideo programs and digital audio programs;

program reception circuitry configured to extract and present audiovisual—the video programs received in the eomposite data streamsignal;

a hardware upgrade port configured to <u>output the digital audio programs received in the signal to receive</u> upgrade circuitry <u>simultaneously</u> with the presentation of the video programs, wherein the upgrade circuitry is external to the terminal and wherein the outputted digital audio programs are compressed and presentable, that provides simultaneous access to audio programs received in the composite data stream, wherein a presentation of the audio programs by the upgrade circuitry—is independent from <u>and uncorrelated to</u> the presentation of the audiovisual video programs:

a processor; and

memory storing computer readable instructions, that when executed by the processor, cause the terminal to generate an electronic program guide for controlling display of content on a video screen, the guide comprising a plurality of menus.

- (Previously Presented) The terminal of claim 1, wherein the plurality of menus of the guide comprises:
  - an introductory menu that is displayed upon beginning use of the guide;
  - a home menu:
  - a plurality of major menus displayed as menu options on the home menu;
  - a plurality of sub-menus displayed as menu options on the plurality of major menus; and
  - a plurality of during programming menus enacted after selection of a program, wherein at

least one of the plurality of menus comprises program control information received in the composite data stream signal.

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- 13. (Currently Amended) The terminal of claim 9, wherein the guide further comprises a plurality of interactive submenus for use with the interactive features, which wherein the submenus are displayed in response to a selection of the menu options received by the terminal.
- 14. (Canceled)
- 15. (Currently Amended) The terminal of claim 13, wherein the presented audiovisual video program and one or more of the submenus are displayed on the video screen at the same time.
- (Original) The terminal of claim 8, wherein the logo is displayed as an overlay menu.

17-18. (Canceled)

- (Previously Presented) The terminal of claim 8, wherein the overlay menu is generated by the terminal using data received during a vertical blanking interval.
- (Previously Presented) The terminal of claim 8, wherein the logo is displayed in a corner
  of the video screen periodically for a specified duration.
- 21. (Canceled)
- (Currently Amended) A terminal comprising:
   an interface configured to receive a signal comprising a composite data stream;

program reception circuitry configured to extract and present <u>audiovisual-video</u> programs and program control information received in the composite data stream;

a hardware upgrade port configured to <u>output digital audio channels received in the</u> <u>composite data stream interface</u>—to upgrade circuitry <u>simultaneous to the presentation of the video programs, wherein the upgrade circuitry is external to the terminal and wherein external to the terminal that provides simultaneous access to audio programs received in the composite data stream, wherein a presentation of the audio programs by the upgrade circuitry tunes.</u>

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decompresses, and presents the audio channels is-independent from and uncorrelated to the presentation of the audiovisual video programs;

### a processor; and

memory storing computer readable instructions, that when executed by the processor, cause the terminal to generate an electronic program guide for controlling display of content on a video screen, the guide comprising a plurality of menus.

## 23. (Currently Amended) A method comprising:

receiving, at a terminal, a signal comprising a <u>plurality of channelseomposite data stream</u>

having a plurality of programs;

extracting, at the terminal, a video channel from the signal-an-audiovisual-program from the received communite data stream:

outputting, from the terminal, a presentation signal including the video channel for display;

extracting program control information from the received composite data streamsignal;

extracting an outputting, from the terminal to external circuitry, compressed audio channels program from the received in the signal composite data stream; and

separately presenting the audiovisual program and the audio program, wherein the presentation of theoutputted audio program is channels are uncorrelated to the video channel, wherein the upgrade circuitry is external to the terminal, and wherein the external circuitry tunes and decompresses the audio channels remotely and independently from the presentation of the audiovisual program video channel; and

generating outputting on the presentation signal a plurality of program menus, wherein at least one of the menus comprises the program control information.

24. (Currently Amended) The method of claim 23, further comprising:

displaying the audiovisual programvideo channel on a video screen; and

displaying during the audiovisual programdisplay of the video channel a logo indicating that interactive features are associated with the audiovisual programyideo channel.

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- (Currently Amended) The method of claim 24, further comprising:
   receiving from the a user input device a signal associated with the logo; and
   displaying, in response to the signal from the input device, an overlay menu of the
   interactive features.
- 26. (Canceled)
- (Previously Presented) The terminal of claim 8, wherein the program control information comprises video, graphics and text.

28-29. (Canceled)

- (Previously Presented) The terminal of claim 22, wherein the external upgrade circuitry comprises a visual display separate from the video screen.
- (Previously Presented) The terminal of claim 22, wherein the external upgrade circuitry is configured to receive commands from a separate remote control.
- (Previously Presented) The terminal of claim 22, wherein the external upgrade circuitry is remotely coupled to the terminal.
- 33. (New) A system comprising the terminal of claim 22 and the upgrade circuitry.
- 34. (New) A system comprising the terminal of claim 1 and the upgrade circuitry.



## United States Patent and Trademark Office

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DATE MAILED: 11/30/2005

APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO.
09/964,891		09/28/2001	John S. Hendricks	SEDN/3698D7	2109
56015	7590	11/30/2005		EX	AMINER
MOSER, P.	ATTER	SON & SHERI	DAN, LLP/	SHELEH	EDA, JAMES R
SEDNA PAT	TENT SE	RVICES, LLC			
595 SHREW	SBURY	AVENUE		ARTUNIT	PAPER NUMBER
SUITE 100				2617	
SHREWSBU	JRY, NJ	07702			

Please find below and/or attached an Office communication concerning this application or proceeding.

## Application No. Applicant(s) 09/964.891 HENDRICKS, JOHN S. Office Action Summary Art Unit Examiner James Sheleheda 2617 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133) Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1,704(b). Status Responsive to communication(s) filed on 2a) This action is FINAL... 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-25 is/are pending in the application. 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-25 is/are rejected. 7) Claim(s) \_\_\_\_\_ is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1 121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some \* c) None of: Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). \* See the attached detailed Office action for a list of the certified copies not received. Attachment(s)

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1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/15/02, 5/17/03, 5/5/04

Interview Summary (PTO-413)
 Paper No(s)/Mail Date.

6) Other:

5) Notice of Informal Patent Application (PTO-152)

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4/	18	4,695,880	Sep	otember 22, 1	987	Johnson e	at al.				
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	10-	WO 97/2211	2	June 19,	1997	Hullman	n et al.				
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	10.	WO-98/0834	4	February 2	6, 1998	Sachs	et al:	_			
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## **UTILITY PATENT APPLICATION TRANSMITTAL** (Large Entity)

Docket No.

3698.00D7 156

Total Pages in this Sub-

(Only for new nonprovisional applications under 37 CFR 1.53(b))

TO THE ASSISTANT COMMISSIONER FOR PATENTS Box Patent Application

Washington, D.C. 20231

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							John S. H	ENDRICKS		
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## UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

Docket No. 3698,00D7

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission 156

				Application Element	its (Continued)
3.	$\boxtimes$	Dra	wing(s) (when neces	sary as prescribed by 35 L	USC 113)
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© 6.		Cor	mputer Program in M	icrofiche (Appendix)	
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8.		Ass	signment Papers (co	ver sheet & document(s))	
9.		37	CFR 3.73(B) Statem	ent (when there is an assig	ignee)
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# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 3698.00D7

Total Pages in this Submission 156

Fee Calculation and Transmittal  CLAIMS AS FILED  For #Filed #Allowed #Extra Rate Fee									
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cc:

Washington, D.C. 20004 Telephone (202) 824-8800

## SPECIFICATION

TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN, that I, John S. Hendricks, a citizen of the United States and a resident of Montgomery County, Maryland, have invented certain new and useful improvements in

SET TOP TERMINAL FOR GENERATING AN INTERACTIVE ELECTRONIC PROGRAM GUIDE FOR USE WITH TELEVISION DELIVERY SYSTEM

of which the following is a specification.

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## REFERENCE TO RELATED APPLICATION

The present application is a continuation of United States patent application Serial No. 07/991,074, filed December 9, 1992, which is incorporated herein by reference as if fully set forth.

## BACKGROUND OF THE INVENTION

The invention relates to television entertainment systems for providing television programming to consumer homes. More particularly, the invention relates to cable television packaging, delivery and presentation systems which provide consumers with many television programming options.

Advances in television entertainment have been primarily driven by breakthroughs in technology. In 1939, advances on Vladmir Zworykin's picture tube provided the stimulus for NBC to begin its first regular broadcasts. In 1975, advances in satellite technology provided consumers with increased programming to homes.

Many of these technology breakthroughs have produced inconvenient systems for consumers. One example is the ubiquitous three remote control home, having a separate and unique remote control for the TV, cable box and VCR. More recently, technology has provided cable users in certain parts of the country with 100 channels of programming. This increased program capacity is beyond the ability of many consumers to use effectively. No method of managing the program choices has been provided to consumers...

Consumers are demanding that future advances in television entertainment, particularly programs and program choices, be presented to the consumer in a user friendly manner. Consumer preferences, instead of technological breakthroughs, will drive the television entertainment market for at least the next 20 years. As computer vendors have experienced a switch from marketing new technology in computer hardware to marketing better useability, interfaces and service, the television entertainment industry will also experience a switch from new technology driving the market to consumer useability driving the market.

Consumers want products incorporating new technology that are useful, and will no longer purchase new technology for the sake of novelty or status. Technological advances in sophisticated hardware are beginning to surpass the capability of the average

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consumer to use the new technology. Careful engineering must be done to make entertainment products incorporating new technology useful and desired by consumers.

In order for new television entertainment products to be successful, the products must satisfy consumer demands. TV consumers wish to go from limited viewing choices to a variety of choices, from no control of programming to complete control. Consumers wish to advance from cumbersome and inconvenient television to easy and convenient television and keep costs down. Consumers do not wish to pay for one hundred channels when due to lack of programming information, they seldom, if ever, watch programming on many of these channels.

The concepts of interactive television, high definition television and 300 channel cable systems in consumer homes will not sell if they are not packaged, delivered and presented in a useable fashion to consumers. The problem is that TV programming is not being managed, packaged, delivered, and presented to consumers in a user friendly manner.

Consumers are already being bombarded with programming options, numerous "free" cable channels, subscription cable channels and pay-per-view choices. Any further increase in TV entertainment choices, without a user friendly presentation and approach, will likely bewilder viewers with a mind-numbing array of choices.

The TV industry has traditionally marketed and sold its programs to consumers in bulk, such as continuous feed broadcast and long-term subscriptions to movie channels. The TV industry is unable to sell its programming in large quantities on a unit per unit basis, such as the ordering of one program. Consumers prefer a unit sales approach because it keeps costs down and allows the consumer to be more selective in their viewing.

Additionally, viewership fragmentation, which has already begun, will increase. Programming not presented in a user friendly manner will suffer with a decrease in viewership and revenue.

What is needed is an economical system which can gather television programming in a variety of formats, package the programs, deliver the programs, and present the programs through a user friendly interface which allows the consumer to easily select from among the many program choices. The system must be capable of

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handling hundreds of programs in different formats, be expandable for future types of programming, include a method for billing consumers, and be inexpensive. The present invention is addressed to fulfill these needs.

### SUMMARY OF INVENTION

A set top terminal is disclosed for use with a television delivery system. The terminal receives a television signal and extracts from the signal individual programs for display on a user's television associated with the terminal. The terminal receives a selection of a program or interactive feature from an interactive electronic program guide displayed on the television. An interactive electronic program guide is disclosed for use with a television delivery system. The guide includes a plurality of interconnected menus having display information. The guide also includes a cursor controlled by the user input device for sequencing through the menus and selecting a menu item. The menus include an introductory menu displayed when the guide is started, a main menu that allows access to program submenus and interactive submenus, and during program menus. The during program menus include both overlay menus that are displayed during a program and hidden menus that are not displayed. The interactive features of the guide include a logo displayed during a program indicating that interactive features are available for the program. Upon user selection, a menu of the interactive features is displayed during the program as an overlay window. Interactive features include, for example, additional information related to the program, quizzes, facts, etc. Upon selection of an interactive feature, the feature is displayed in a menu during the program.

An expanded cable television program delivery system dramatically increases programming capacity using compressed transmission of television program signals. Developments in digital bandwidth compression technology now allow much greater throughput of television program signals over existing or slightly modified transmission media. The program delivery system provides subscribers with a user friendly interface to operate and exploit a six-fold or more increase in current program delivery capability.

Subscribers will be able to access the expanded program package and view selected programs through a menu-driven access scheme that allows each subscriber to select individual programs by sequencing a series of menus. The menus are sequenced by the subscriber using simple alpha-numeric and iconic character access, allowing the

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by the subscriber using simple alpha-numeric and iconic character access, allowing the subscriber to access desired programs by simply pressing a single button rather than recalling from memory and pressing the actual two or more digit numeric number assigned to a selection. Thus, with the press of single buttons, the subscriber can advance from one menu to the next. In this fashion, the subscriber can sequence the menus and select a program from any given menu. The programs are grouped by category so that similar program offerings are found on the same menu.

## System Description

## 1. Major System Components

In its most basic form, the system uses a program delivery system in conjunction with a conventional cable television system. The program delivery system contemplates (i) at least one operations center, where program packaging and control information are received and then assembled in the form of digital data, and (ii) a digital compression system, where the digital data is compressed, combined/multiplexed, encoded, and mapped into digital signals for satellite transmission (i.e., modulated, upconverted and amplified). The program delivery system transports the digital signals to the concatenated cable television system where the signals are received at the cable headend. Within the cable headend, the received signals may be decoded, demultiplexed, managed by a local central distribution and switching mechanism and then transmitted to subscriber homes via the cable system.

The delivery system employs an in-home decompression capability employing a decompressor housed within a set-top terminal in each subscriber's home. The decompressor remains transparent from the subscriber's point of view and allows any of the compressed signals to be demultiplexed and individually extracted from the composite data stream and then individually decompressed upon selection of a corresponding program by the subscriber. Within the set-top terminal, video signals are converted into analog signals. Control signals are extracted, decompressed and either executed immediately or placed in local storage in a ROM. The program control signals correspond to specific television programs with menu program options that each subscriber may access through a subscriber interface. The subscriber interface is a

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Figures 17d-17j are drawings of submenus for interactive television services, Level A.

Figures 18a-18l are drawings of interactive services, Level B, particularly related to on-screen airline reservations.

Figures 19a-19e are drawings of menus for digital audio services.

Figures 20-28 illustrate the menus presented in the preceding Figures.

Figure 29a is a drawing of a hit movie escape during program menu.

Figure 29b is a drawing of a hit movie during program hidden menu.

Figure 29c is a drawing of a hit movie re-entry submenu.

Figures 30a-30b are drawings of major menus.

Figures 31a-31b are drawings of submenus for the major menus shown in Figures 30a-30b.

Figures 32a-32b and Figures 33a-33c are drawings showing examples of submenus for the menus shown in Figures 31a-31b.

## DESCRIPTION OF THE PREFERRED EMBODIMENT

Figure 1 shows an overview of the cable television menu driven program delivery system 200. The Operations Center 202 is shown receiving external programming signals which correspond to particular programming categories that are available for a subscriber's viewing. These external signals may be in analog or digital form and may be received via landline, microwave transmission, or satellite. Some of these external signals may be transmitted from the program source to the Operations Center 202 in compressed digital format or other nonstandard digital formats. These external signals are received and packaged along with programming that is stored at the Operations Center 202 (not shown here).

Examples of external program sources 204 shown in Figure 1 are: Sporting events, children's programs, documentaries, high definition TV sources, specialty channels, interactive services, weather, news, and other nonfiction or entertainment. Any source that can provide either audio or video or both may be utilized to provide programming to the Operations Center 202.

After packaging, the packaged television program signal is prepared for satellite transmission 206 and sent from the Operations Center 202 to the cable headend 208 via

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After packaging, the packaged television program signal is prepared for satellite transmission 206 and sent from the Operations Center 202 to the cable headend 208 via satellite transmission 206. Depending on the specific embodiment, the television program signal may need to be compressed, combined/multiplexed, encoded, mapped, modulated, upconverted and amplified. This system, which is intended to be compatible with existing C and Ku Band satellite transmission 206 technologies, accepts video, audio and data signals ranging in signal quality, and input from a number of sources.

Upon receipt of the programming signal at the cable headend 208, the signal is again treated if necessary and sent into a concatenated cable system to the subscriber's home. The signal reaches the subscribers home in a compressed format and must be decompressed prior to viewing. Included in the delivered program signal is information which enables equipment at the subscriber's home to display menus for choosing particular programs. Depending on the particular embodiment, the television program signal may arrive at the subscriber's home via one or more coaxial cables, fiber cables, twisted pairs, cellular telephone connections, or personal communications network (PCN) hookups.

This connection between the subscriber's home and the cable headend 208 allows for two-way communications. Utilizing this two-way communications, the cable headend 208 receives information about a subscriber's account, billing, and programs viewed. Also, the cable headend 208 is capable of sending computer data or computer software information to the subscriber's home.

As shown in Figure 1, an analog cable TV system 210 can continue to exist alongside and within the digitally compressed system of the present invention. The digital transmissions do not effect the analog system. In fact, the analog cable signal may be transmitted simultaneously on the same cable as the digital signal. The cable headends may continue to supply subscribers with local channels in an analog signal format.

Figure 2 shows a more detailed overview of the operation of the present invention. The Operations Center 202 shown performs program packaging and delivery control. In the preferred embodiment, the packaged program signal will be treated at a master control uplink site 211 prior to being transmitted to the satellite 206. Various